

UNCLASSIFIED

12/9/76

Current Class: [REDACTED]  
Current Handling: n/a  
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Channel: n/a

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ACTION DHA-02

INFO OCT-01 ARA-06 ISO-00 ORM-02 CIAE-00 DODE-00 PM-04  
H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02  
SS-15 USIA-06 EB-07 COME-00 TRSE-00 OMB-01 /064 W  
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P 090843Z DEC 76  
FM AMEMBASSY BUENOS AIRES  
TO SECSTATE WASHDC PRIORITY 8150

ARGENTINA PROJECT (S200000044)  
U.S. DEPT. OF STATE, A/RPS/IPS  
Margaret P. Grafeld, Director  
(☒ Release) (☐ Excise) (☐ Deny)  
Exemption(s): \_\_\_\_\_  
Declassify: (☐ In Part) (☒ In Full)  
(☐ Classify as \_\_\_\_\_) (☐ Extend as \_\_\_\_\_) (☐ Downgrade to \_\_\_\_\_)  
Date \_\_\_\_\_ Declassify on \_\_\_\_\_ Reason \_\_\_\_\_

[REDACTED] BUENOS AIRES 7975

E.O. 11652: GDS  
TAGS: SHUM, PINT, AR  
SUBJECT: FEDERAL JUDGE INDICTS FRASER SUBCOMMITTEE HUMAN RIGHTS  
WITNESSES

REF: BUENOS AIRES 6742

1. AS RESULT OF CHARGES PRESENTED BY GOA, FEDERAL JUDGE HAS INDICTED ARGENTINE NATIONALS GUSTAVO ADOLFO ROCA AND LUCIO GARZON MACEDA UNDER 1951 LAW WHICH MAKES CRIME THE ACTION OF ANY CITIZEN WHO PROPOSES OR RECOMMENDS POLITICAL OR ECONOMIC SANCTIONS AGAINST THE REPUBLIC. JUDICIAL ACTION ORDERS THEIR ARREST, AND DECLARES THEM "IN REBELLION AND IN CONTEMPT OF COURT" AS THEY HAVE NOT OBEYED ORDER TO PRESENT THEMSELVES BEFORE COURT. (WE ASSUME BOTH ARE BACK IN EUROPE AFTER VISIT TO U.S.). LAW PROVIDES FOR PRISON TERMS OF BETWEEN FIVE AND TWENTY-FIVE YEARS FOR THE CRIME, AND PERMANENT DEPRIVATION OF CIVIL RIGHTS.

2. OFFENSE OF ROCA AND GARZON WAS TESTIMONY BEFORE FRASER SUBCOMMITTEE IN WASHINGTON ON SEPTEMBER 28 AND 29, 1976, WHERE THEY CHARGED HUMAN RIGHTS VIOLATIONS AND CALLED FOR U. S. SANCTIONS AGAINST ARGENTINA.

3. COMMENT: ACTION AGAINST ROCA AND GARZON HAS NOT YET BEEN COMMENTED UPON BY LOCAL PRESS, HAVING BEEN ANNOUNCED ONLY ON DECEMBER 7. WHATEVER U.S. AND INTERNATIONAL REACTION MAY BE, ARGENTINE DOMESTIC OPINION IS UNLIKELY TO BE SYMPATHETIC TO ROCA AND GARZON. THE LAW UNDER WHICH THEY HAVE BEEN CHARGED IS NOT A CREATION OF THE PRESENT MILITARY REGIME, AND WHILE WE DO NOT HAVE RECORDS WE BELIEVE

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THAT IT HAS PROBABLY BEEN INVOKED IN THE PAST. EVEN MODERATES TEND TO DRAW LINE AT ANTI-PATRIOTIC WASHING OF DIRTY LINEN BY ARGENTINES IN FRONT OF A FOREIGN GOVERNMENT BODY, AND BOTH ROCA AND GARZON ARE GENERALLY REGARDED AS COMMITTED LEFTIST EXTREMISTS WHO DO NOT MEAN ARGENTINA WELL IN ANY EVENT. ACTION HAS SERIOUS IMPLIATIONS, HOWEVER, FOR FUTURE HEARINGS. WOULD OTHER ARGENTINE CITIZENS APPEARING BEFORE FRASER SUBCOMMITTEE FACE SUCH POSSIBILITY EVEN IF THEY ONLY LIMITED THEMSELVES TO CRITICISM OF GOA WITHOUT CALLING FOR SANCTIONS? WE WILL EXPLORE MATTER WITH GOA WHEN GOVERNMENT OFFICES REOPEN TOMORROW.

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